



The Little Traverse Bay Bands of Odawa Indians
Council Chambers and via ZOOM
Tribal Council Regular Meeting Agenda
May 25, 2023
9:00 a.m.

All meetings, work sessions and Citizens' meetings are recorded

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

Participation. With respect to all participants, and in accordance with Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council, and the Tribal Council Meeting Policy and Procedures for Electronic Meetings, participants are required to provide their full name and Tribal affiliation at log in for meeting entry. Citizens use name and enrollment number, all others who are required to be in the meeting, use name and title. Without required identification you will remain in the Zoom waiting room of this session until the entry criteria is met. If you log in under what appears to be a fictitious name, you may be removed and will not be provided entry into the meeting room until such time as your log in is verifiable.

Public Comment.

Tribal Council will not accept comments nor discuss matters that relate to the following:

1. Personnel matters.
2. Personal information affecting an individual's privacy, including personnel matters. or medical conditions or similar matters that constitute a clearly unwarranted invasion of personal privacy unless it pertains to the Tribal Citizens who is raising the matter.
3. Matters covered by attorney client privilege.
4. Matters considered confidential by other Statutes.
5. Matters regarding confidential business or legal matters of the Tribe or a Tribal Citizen.
- 6 Matters that could impair a criminal investigation.

(Source: WOS 2015-014, July 24, 2015, Section VI)

Topic: Tribal Council Meeting

Time: May 25, 2023 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88013894149?pwd=V3h6NWRaNkpSa0JUQzVrVzhGWTQydz09>

Meeting ID: **880 1389 4149**

Passcode: 047419

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GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. Review Agenda
Motion to adopt the agenda of May 25, 2023 as (presented/amended).
5. Meeting Dedication
Motion to dedicate this meeting in honor of the following Tribal Citizen(s) who have walked on: Moses Bernard, Jr.-ba, Ronald Boda II-ba, William Denemy-ba, Helene Esker-ba, Dorothy Gasco-ba, Geneva Liebenberg-ba, Ronald Willis, Jr.-ba
6. Review and Approve Minutes of May 11, 2023.
Motion to approve the minutes of May 11, 2023 as (presented/corrected).
7. **9:30 a.m.** Introduction of new Tribal Government Employees
 - Travis Taylor, Fisheries Research Technician -Natural Resources
 - Lindsey Doerfler, Administrative Assistant/Genealogist (transfer) - Enrollment
 - Shane Bouton, Health IT Manager - Health
 - Youth Conservation Corp Workers -Natural Resources:
 - Cameron Boda
 - McKenzie Boda
 - Waasmowin Craven
 - Wiigwaas Craven
 - Christopher Hinmon
 - Tegan Shalifoe
 - Tikibiinhs Teuthorn
 - Maya Worthington
 - Nathan Burns, Economic Recovery Coordinator -Department of Commerce

8. Executive Oversight Report

Motion to acknowledge receipt of the verbal and written Executive Oversight Report as presented by Tribal Chair Regina Gasco Bentley for May 25, 2023.

9. **10:00 a.m.** Odawa Economic Affairs Holding Corporation 2023 1st Quarter Report

Motion to acknowledge receipt of the verbal and written Odawa Economic Affairs Holding Corporation 2023 1st Quarter Report as presented by...for May 25, 2023.

10. **Motion** to acknowledge receipt of Odawa Economic Affairs Holding Corporation 2022 Audit Report as provided by Midwest Professionals, P.L.L.C. dated May 17, 2023.

11. Legislative Leader Report

Motion to acknowledge receipt of Legislative Leader Emily Proctor's verbal and written report for May 25, 2023.

12. Secretary Report

a. Documents Delivered to the Executive

b. Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto):

Waganakising Odawak Statute Constitutionally Mandated Compensation – Tribal Council was delivered to the Executive for signature on 04/21/2023 and was **VETOED** on May 19, 2023.

Waganakising Odawak Statute Constitutionally Mandated Compensation – Tribal Chair and Vice Chair was delivered to the Executive for signature on 04/21/2023 and was **VETOED** on May 19, 2023.

c. Phone Polls passed by Tribal Council: One

05/22/23 Motion to approve the contract with Nicholas Deleary DIA-MACPRA Consultant for the Tribal Historic Preservation Office and authorize Legislative Leader to sign the contract.

Vote: 9 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carried.

Motion to acknowledge receipt of Secretary Marcella Reyes' verbal and written report as provided on the agenda for May 25, 2023.

13. Treasurer Report

Appropriations and Finance Committee

Last Meeting: May 16, 2023

Motions made at Appropriations and Finance Committee Meeting:

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 052523-01 Request for Funding from the United States Environmental Protection Agency, Climate Pollution Reduction Grant Program: Formula Grants for Planning.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 052523-02 Request to Accept Funding Increases

from the Bureau of Indian Affairs FY 2023 CTGP and Law Enforcement P.L. 93-638 Annual Funding Agreements.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 052523-03 Request for Funding from US Fish & Wildlife Service, Tribal Wildlife Grant (TWG) FY 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 052523-04 Request for Funding from the Centers for Disease Control and Prevention, Strengthening Public Health Systems & Services Grant Program FY 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 052523-05 Request for Funding from Indian Health Service, Prescription Produce Pilot Program FY 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 052523-06 Request for Funding from the Michigan Department of Health and Human Services (MDHHS), Victims of Crime Act (VOCA) Tribal Victim Services FY 2024.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution To utilize of the American Rescue Plan Act (“ARP”) Funds in the amount of Fifteen Thousand Six Hundred Ninety-One (\$15,691.00) for the purpose of COVID-19 Mitigation through increases in Tribal Council technology applications.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding for the Elders program for Food and Utility Allowance in the amount of \$272,500 for FY 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION #052523-07 Ziibimijwang, Inc. Request for Funding through the Native American Agriculture Fund.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to **table** the approval of Victories Square Low-Income Housing Tax Credit (LIHTC) Building 4, LLC move forward with closing on the low-income housing tax credit award received from the Michigan State Housing Development Authority to be facilitated by Hunt Capital Partners.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to post the Auditor Request for Proposal (RFP) for 2023 – 2025.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Phone Polls passed by Appropriations and Finance Committee: One

05/19/2023 *Motion to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of \$600,000 to complete two additional townhouses at Indian Town Housing Development.*

Vote: 3 – Yes, 0 - No, 0 – Abstain, 0 – Absent

Motion carried.

Next Meeting: June 13, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Motion to acknowledge receipt of the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Leroy Shomin, Committee Chair for May 25, 2023.

14. Land and Reservation Committee Report

Last Meeting: May 5, 2023

Motions made at Land and Reservation Committee Meeting: Motions made at May 5, 2023 Land and Reservation Committee were presented to Tribal Council at their May 11, 2023 meeting.

Phone Polls passed by Land and Reservation Committee: None

Next Meeting: June 2, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Motion to acknowledge receipt of the Land and Reservation Committee verbal report as provided on the agenda by Councilor Aaron Otto, Committee Chairperson for May 25, 2023.

15. Tribal Council Member Reports:

- a. Councilor Fred Kiogima
- b. Councilor Tamara Kiogima
- c. Councilor William Ortiz
- d. Councilor Aaron Otto
- e. Councilor Melissa Pamp
- f. Councilor James Pontiac
- g. Legislative Leader Emily Proctor
- h. Secretary Marcella Reyes
- i. Treasurer Leroy Shomin

Motion to acknowledge receipt of ...(verbal/written) report for May 25, 2023.

16. Legislative Office Reports:

- a. Office of Finance and Revenue - Senior Financial Analyst

- i. Office Update

- ii. Corporate Charters and/or Board Updates:

- Gaming Authority – April 2023 Status Report
 - Odawa Economic Affairs Holding Corporation – See **10:00 a.m.** for 2023 1st

- Quarter Report and 2022 Audit Report
- Odawa Economic Development Management, Inc.: 2022 Audit Report
- Tribal Burial Board: 2022 Audit Report
- Ziibimijwang, Inc.: **2:00 p.m.** discussion on Minogin Market to include Safety and Emergency Management Coordinator David Thom Jr.

Motion to acknowledge receipt of Sr Financial Analyst Rachel Cope's verbal and written report for May 25, 2023.

Motion to acknowledge receipt of the written Gaming Authority/Odawa Casino Resort April 2023 Status Report dated May 19, 2023.

Motion to acknowledge receipt of Odawa Economic Development Management, Inc. 2022 Audit, pending receipt of Odawa Economic Development Management, Inc. affiliate companies.

Motion to acknowledge receipt of Tribal Burial Board, Inc. Independent Audit Report as provided by Midwest Professionals, P.L.L.C. dated May 17, 2023.

Motion to (dependent on Minogin Market discussion)....

b. Tribal Historic Preservation Officer

Motion to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report for May 25, 2023.

c. General Counsel

Motion to acknowledge receipt of General Counsel Jim Bransky's verbal report for May 25, 2023.

d. Legislative Office Director

Motion to acknowledge receipt of Legislative Office Director Michele Portman-LaCount's verbal and written report for May 25, 2023.

17. Motions

- a. **Motion** to approve CERTIFIED MOTION # 052523-01 Request for Funding from the United States Environmental Protection Agency, Climate Pollution Reduction Grant Program: Formula Grants for Planning.
- b. **Motion** to approve CERTIFIED MOTION # 052523-02 Request to Accept Funding Increases from the Bureau of Indian Affairs FY 2023 CTGP and Law Enforcement P.L. 93-638 Annual Funding Agreements.
- c. **Motion** to approve CERTIFIED MOTION # 052523-03 Request for Funding from US Fish & Wildlife Service, Tribal Wildlife Grant (TWG) FY 2023.

- d. **Motion** to approve CERTIFIED MOTION # 052523-04 Request for Funding from the Centers for Disease Control and Prevention, Strengthening Public Health Systems & Services Grant Program FY 2023.
- e. **Motion** to approve CERTIFIED MOTION # 052523-05 Request for Funding from Indian Health Service, Prescription Produce Pilot Program FY 2023.
- f. **Motion** to approve CERTIFIED MOTION # 052523-06 Request for Funding from the Michigan Department of Health and Human Services (MDHHS), Victims of Crime Act (VOCA) Tribal Victim Services FY 2024.
- g. **Motion** to approve CERTIFIED MOTION # 052523-07 Ziibimijwang Inc. Request for Funding through the Native American Agriculture Fund.
- h. **Motion** to approve Auditor RFP FY 2023-2025.
- i. **Motion** to approve Citizenship List A (Eligible) dated May 17, 2023 for a total of five (5).
- j. **Motion** to acknowledge receipt of the Executive Nomination of Nicholas Foltz to the Odawa Economic Affairs Holding Corporation Board of Directors and set up an interview.
- k. **Motion** to re-appoint Melissa Wiatrolik to Tribal Burial Board, Inc. for a 4-year term ending 5/25/2027.
- l. **Motion** to appoint Melissa Wiatrolik to Election Board for a 4-year term ending 5/25/2027.
- m. **Motion** to re-appoint Carla Osawamick to Election Board for a 4-year term ending 5/25/2027.
- n. **Motion** to appoint Janice Shackleford to Elder's Commission for a 3-year term ending 5/25/2026.
- o. **Motion** to appoint Wilson Brott as Assistant Prosecutor for a 2-year term ending 5/25/2025.
- p. **Motion** to appoint Joanne Cook as Chief Judge for a 4-year term starting January 7, 2024 and ending January 7, 2028.

18. Roll Call Votes

- a. **Motion** to adopt Tribal Resolution Elders Food and Utility Allowance Supplemental Funding Request.
- b. **Motion** to adopt Tribal Resolution To utilize of the American Rescue Plan Act ("ARP") Funds in the amount of Fifteen Thousand Six Hundred Ninety-One (\$15,691.00) for the purpose of COVID-19 Mitigation through increases in Tribal Council technology applications.
- c. **Motion** to adopt Tribal Resolution Supplemental Funding in the amount of \$600,000 to complete two additional townhouses at Indian Town Housing Development.

19. Other Items of Business:

a.

20. Adjournment

_____ **a.m./p.m. Motion** to adjourn.

Next Scheduled Meeting;
at 9:00 a.m. in Council Chambers and via Zoom